

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Bismarck Park Avenue Properties, L.L.P., )

Plaintiff, )

vs. )

Owners Insurance Company, )

Defendant. )

**ORDER TO SUPPLEMENT**

Case No. 1:21-cv-165

---

Park Avenue Business Condo Association, )

Plaintiff, )

vs. )

Owners Insurance Company, )

Defendant. )

Case No. 1:21-cv-175

---

B & C Properties, LLP, )

Plaintiff, )

vs. )

Owners Insurance Company, )

Defendant. )

Case No. 1:21-cv-187

---

On August 14, 2023, the Court ordered the Plaintiffs to supplement the record with a statement fully addressing the citizenships of each of the Plaintiffs, as required by Rule 7.1(2), so the Court may ascertain whether it has diversity jurisdiction under 28 U.S.C. § 1332. See Doc. No. 52. On August 28, 2023, each of the Plaintiffs filed Rule 7.1 Corporate Disclosures. See Doc. Nos. 53-55.

Park Avenue Business Condo Association, LLP's disclosure only partially responded to the Court's order. The disclosure identifies other business entities and individuals as the members of Park Avenue Business Condo Association, LLP, which is insufficient. The Plaintiff 1) must identify each member of the LLCs and LLPs that are members of Park Avenue Business Condo Association, LLP and 2) must identify the citizenship of each of those members.

As the Court stated in its Order to Supplement, "It is well settled that an LLC's citizenship is that of its members for diversity jurisdiction purposes. GMAC Com. Credit LLC v. Dillard Dep't Stores, Inc., 357 F.3d 827, 829 (8th Cir. 2004). The citizenship of a limited liability company is the citizenship of each of its members. OnePoint Solutions, 486 F.3d at 346. It is likewise settled that a limited partnership's citizenship is the citizenship of each of its partners. Carden v. Arkoma Assocs., 494 U.S. 185, 189 (1990)." See Doc. No. 52. "Because a member of a limited liability company may itself have multiple members—and thus may itself have multiple citizenships—the federal court needs to know the citizenship of each 'sub-member' as well." Delay v. Rosenthal Collins Grp., LLC, 585 F.3d 1003, 1005 (6th Cir. 2009).

The Court **ORDERS** Park Avenue Business Condo Association, LLP to supplement the record with a statement fully addressing the citizenship of each of its members, as required by Rule 7.1(2), so the Court may ascertain whether it has diversity jurisdiction under 28 U.S.C. § 1332. The supplement shall be due within fourteen (14) days of the date of this order. If Park Avenue Business Condo Association, LLP is unable to provide all of the required information, the Court will be forced to dismiss Park Avenue Business Condo Association, LLP's case against Owners Insurance Company (Case No. 1:21-cv-175) for lack of subject matter jurisdiction.

**IT IS SO ORDERED.**

Dated this 29<sup>th</sup> day of August, 2023.

/s/ Daniel L. Hovland

Daniel L. Hovland, District Judge  
United States District Court